

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEROME W. REMPE,

Plaintiff

VS.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

.....

: CIVIL ACTION NO. 3:CV-04-752
: (CHIEF JUDGE VANASKIE)

ORDER

NOW, THIS 29th DAY OF JUNE, 2005, having carefully considered the May 16, 2005 Report and Recommendation of Chief Magistrate Judge Thomas M. Blewitt, proposing that this Court affirm the denial of Plaintiff's claims for disability insurance and supplemental security income benefits:

and observing that Plaintiff has failed to file objections to the Report and Recommendation within the appropriate time limit, despite having been advised of the right to do so;

and having determined that review of the Report and Recommendation may accordingly be limited to ascertaining whether it contains clear error that not only affects substantial rights of Plaintiff, but also seriously adversely affects the integrity, fairness and public reputation of judicial proceedings, see Cruz v. Chater, 990 F.Supp. 375, 377 (M.D. Pa. 1998);

and having found that the Commissioner's determination that Plaintiff is not entitled to either disability insurance or supplemental security income benefits is supported by "such relevant evidence as a reasonable mind might accept as adequate," Plummer v. Apfel, 186 F.3d 422, 427 (3d Cir. 1999), **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation of Chief Magistrate Judge Blewitt is **ADOPTED**.
2. The decision of the Commissioner of Social Security is **AFFIRMED**.
3. The Clerk of Court is directed to enter judgment in favor of the Commissioner of Social Security and against the Plaintiff.
4. The Clerk of Court is further directed to mark this matter **CLOSED**.

s/ Thomas I. Vanaskie
Thomas I. Vanaskie, Chief Judge
Middle District of Pennsylvania